

O I P E  
MAY 16 2002  
PATENT & TRADEMARK OFFICE  
U.S. DEPARTMENT OF COMMERCE

OMB No. 0651-0011

INFORMATION DISCLOSURE CITATION

Atty. Docket No. 0002-04	Appn. No. 10/085,040
Applicant Joseph C. CAUTHEN	
Filing Date 3/1/02	Group: 3738

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U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
MC	3,867,728	2/25/75	Stubstad et al.			1
	4,013,078	3/22/77	Feild			
	4,059,115	11/22/77	Jumashev et al.			
	4,545,374	10/8/85	Jacobson			
	4,772,287	9/20/88	Ray et al.			
	4,904,260	2/27/90	Ray et al.			
↓	4,932,969	6/12/90	Frev et al.			

FOREIGN PATENT DOCUMENTS

	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
MC	2 054 383 A	2/18/81	United Kingdom			
↓	WO 91/16867	11/14/91	PCT			
↓	WO 95/22285	8/24/95	PCT			
↓	WO 95/31948	11/30/95	PCT			
↓	WO 96/27339	9/12/96	PCT			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

MC	Ahlgren, B.D., MD., et al., "Anular Incision Technique on the Strength and Multidirectional Flexibility of the Healing Intervertebral Disc," <i>Spine</i> 19(8):948-954 (1994).
↓	Ahlgren, B.D., MD., et al., "Effect of Anular Repair on the Healing Strength of the Intervertebral Disc," <i>Spine</i> 25(17):2165-2170 (2000).
↓	Cauthen, Joseph C., MD., "Microsurgical Annular Reconstruction (Annuloplasty) Following Lumbar Microdiscectomy: Preliminary Report of a New Technique," Abstract for Poster Presentation, AANS/CNS Section On Disorders Of The Spine And Peripheral Nerves Annual Meeting (1999).

Examiner *John Chayka, Jr.* Date Considered 9/17/03

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PTO-1449 SC11

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## INFORMATION DISCLOSURE CITATION

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TECHNOLOGY CENTER 23700

Atty. Docket No. 68442.0002-04	Appn. No. 10/085,040
Applicant Joseph C. CAUTHEN	
Filing Date 3/1/02	Group: 3738

### U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
TC	5,015,255	5/14/91	Kuslich			
↓	5,108,438	4/28/92	Stone			
↓	5,195,541	3/23/93	Obenchain			
↓	5,258,043	11/2/93	Stone			
↓	5,313,962	5/24/94	Obenchain			
↓	5,439,464	8/8/95	Shapiro			
↓	5,534,028	7/9/96	Bao et al.			

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	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
TC	WO 97/26847	7/31/97	PCT			
↓	WO 98/01091	1/15/98	PCT			
↓	WO 98/05274	2/12/98	PCT			
↓	WO 98/22050	5/28/98	PCT			
↓	WO 99/00074	1/7/99	PCT			

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TC	Lehmann, Thomas R., M.D., et al., "Refinements in Technique For Open Lumbar Discectomy," International Society for the Study of the Lumbar Spine (1997).
↓	Ordway, N.R., et al., "Failure Properties of a Hydrogel Nucleus in the Intervertebral Disc," North American Spine Society, pp.168-169 (1997).
↓	Osti, O.L., et al., "Annular Tears and Disc Degeneration in the Lumbar Spine," <i>The Journal of Bone and Joint Surgery</i> 74-B(5):678-82 (1992).

Examiner	<i>Mr. Christopher J. Hickey</i>	Date Considered	9/17/03
*Examiner:	Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.		

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Examiner IP Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
TM MAY 16 2002 TRADEMARK OFFICE	5,549,679	8/27/96	Kuslich			
	5,556,429	9/17/96	Felt			
	5,562,736	10/8/96	Ray et al.			
	5,634,944	6/3/97	Magram			
	5,569,242	10/29/96	Lax et al.			
	5,571,189	11/5/96	Kuslich			
↓	5,599,279	2/4/97	Slotman et al.			

## FOREIGN PATENT DOCUMENTS

	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
MC	WO 99/02108	1/21/99	PCT			
↓	WO 99/04720	2/4/99	PCT			
↓	WO 99/61084	12/2/99	PCT			
↓	WO 00/20021	4/13/00	PCT			
↓	WO 00/25706	5/11/00	PCT			

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

MC	Panjabi, Manohar, PhD., et al., "Intrinsic Disc Pressure as a Measure of Integrity of the Lumbar Spine," <i>Spine</i> 13(8):913-17 (1988).
↓	Ray, Charles D., "Prosthetic Disc Nucleus Implants: Update," <i>North American Spine Society 13<sup>th</sup> Annual Meeting</i> p. 252.
↓	Yasargil, M.G., "Microsurgical Operation of Herniated Lumbar Disc," <i>Lumbar Disc Adult Hydrocephalus</i> p.81 (1977).

Examiner	Mr. Christopher G.	Date Considered
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Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate	
O P E A C U T	5,702,454	12/30/97	Baumgartner				
MAY 17 2002 PATENT & TRADEMARK OFFICE	5,649,945	7/22/97	Ray et al.				
	5,755,797	5/26/98	Baumgartner				
	5,785,705	7/28/98	Baker				
	5,788,625	8/4/98	Plouhar et al.				
	5,800,549	9/1/98	Bao et al.				
✓	5,824,093	10/20/98	Ray et al.				

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	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
✓	WO 00/42953	7/27/00	PCT			
✓	WO 00/49978	8/31/00	PCT			
✓	WO 00/61037	10/19/00	PCT			
✓	WO 00/62832	10/26/00	PCT			
✓	WO 00/76409	12/21/00	PCT			

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Examiner	<i>Mr. Shalayna Lynn</i>	Date Considered	<i>9/17/03</i>
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Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce		

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Atty. Docket No.	08442.0002-04	Appn. No.	10/085,040
Applicant	Joseph C. CAUTHEN		
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Examiner Initials <i>MA</i>	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
MAY 16 2002 PATENT & TRADEMARK OFFICE	5,888,220	3/30/99	Felt et al.			
	5,922,028	7/13/99	Plouhar et al.			
	5,980,504	11/9/99	Sharkey et al.			
	6,007,570	12/28/99	Sharkey et al.			
	6,019,792	2/1/00	Cauthen			
	6,053,909	4/25/00	Shadduck			
	6,073,051	6/6/00	Sharkey et al.			

## FOREIGN PATENT DOCUMENTS

	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
<i>MA</i>	WO 01/10316	2/15/01	PCT			
<i>MA</i>	WO 01/12107	2/22/01	PCT			
<i>MA</i>	WO 01/21246	3/29/01	PCT			
<i>MA</i>	WO 01/22902 A2	4/5/01	PCT			
<i>MA</i>	WO 01/26570 A1	4/19/01	PCT			

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


Examiner

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9/17/03

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Examiner O I Milner*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	6,095,149	8/1/00	Sharkey et al.			
MAY 16 2002	6,099,514	8/8/00	Sharkey et al.			
	6,126,682	10/3/00	Sharkey et al.			
	6,179,874 B1	1/30/01	Cauthen			
	6,183,518 B1	2/6/01	Ross et al.			
	6,187,048 B1	2/13/01	Milner et al.			
	6,206,921 B1	3/27/01	Guagliano et al.			

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	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
AC	WO 01/45577 A2	6/28/01	PCT			
	WO 01/93784 A2	12/13/01	PCT			
↓	WO 01/95818 A1	12/20/01	PCT			

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Examiner

*Mr. Shattock and Cauthen*

Date Considered

*9/17/2003*

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Examiner Initials*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
O. J. FERREE	6,224,630 B1	5/1/01	Bao et al.			
MAY 16 2002 PATENT & TRADEMARK OFFICE	6,245,107 B1	6/12/01	Ferree			
	6,248,106 B1	6/19/01	Ferree			
	6,340,369 B1	1/22/02	Ferree			
	6,344,058 B1	2/5/02	Ferree			
	6,352,557 B1	3/5/02	Ferree			
✓	6,371,990 B1	4/16/02	Ferree			

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## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


Examiner	<i>J. Christopher Gray</i>	Date Considered	<i>9/17/2003</i>
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